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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ROGELIO MONTES and MATEO
ARTEAGA,

Plaintiffs,

v.

CITY OF YAKIMA, MICAH
CAWLEY, in his official capacity as
Mayor of Yakima, and MAUREEN
ADKISON, SARA BRISTOL,
KATHY COFFEY, RICK ENSEY,
DAVE ETTL, and BILL LOVER, in
their official capacity as members of
the Yakima City Council,

Defendants.

NO. 12-CV-3108 TOR

[PROPOSED] FINAL JUDGMENT

[PROPOSED] FINAL JUDGMENT

1 Pursuant to the Court's Order filed August 22, 2014, and upon
2 consideration of the parties' proposed forms of injunction and remedial plans,
3 the Court issues judgment as follows:
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6 1. The City of Yakima's current at-large method of electing
7 members to the City Council violates Section 2 of the Voting Rights Act for
8 the reasons set out at length in the Court's Order dated August 22, 2014.
9

10
11 2. The City of Yakima is permanently enjoined from administering,
12 implementing or conducting any future elections for the Yakima City Council
13 in which members of the City Council are elected on an at-large basis, whether
14 in a primary, general, or special election.
15

16
17 3. Beginning with the elections for the Yakima City Council to be
18 held in 2015, and including the August 4, 2015, primary election and the
19 November 3, 2015, general election, all elections for the Yakima City Council
20 will be conducted using a system in which each of the seven members of the
21 City Council is elected from a single-member district. Each councilmember
22 must reside in his or her district, and only residents of a given district may vote
23 for the councilmember position for that district.
24

25
26 4. The Court hereby adopts, as a remedy for the Section 2 violation,
27 Plaintiffs' proposed Illustrative Plan 1. Maps and tables showing the
28 boundaries of the new seven single-member districts and their populations are
29 attached as Exhibit A.
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32 5. The boundaries of the single-member districts reflected in
33 Illustrative Plan 1 are reasonably compact and are not in derogation of
34 traditional redistricting principles. The total population deviation among
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1 districts is 6.33%, and therefore the districts comply with the one person, one
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3 vote requirement of federal law. *Reynolds v. Simms*, 377 U.S. 533 (1964).

4
5 6. Defendants shall take all steps necessary to implement the seven
6
7 single-member district plan attached as Exhibit A in order to allow district-
8
9 based elections to proceed in 2015 and thereafter, provided, however, that the
10
11 City of Yakima may revise those districts based on annexations, deannexations,
12
13 and population changes reflected in the decennial census and at appropriate
14
15 times in the future when necessary to conform to state and federal law.

16
17 7. In order to preserve the current staggered election plan for
18
19 members of the City Council, the odd numbered districts will be set for a four-
20
21 year election cycle and the even numbered districts will be set initially for a
22
23 two-year term and thereafter for a four-year election cycle.

24
25 8. This judgment is binding upon all parties and their successors.
26
27 Future redistricting shall be done in a manner that complies with the terms and
28
29 intent of this Judgment and the Court's August 22, 2014 Order, continues to
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31 provide for single-member districts, and complies with Section 2 of the Voting
32
33 Rights Act.

34
35 9. Any requests by Plaintiffs for costs and fees shall be further
36
37 determined by the Court in accordance with Fed. R. Civ. P. 54(d).
38
39

40
41 DATED this _____ day of October, 2014.
42
43

44
45 _____
46 United States District Judge
47 Thomas O. Rice

[PROPOSED] FINAL JUDGMENT -

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Presented by:

s/ Kevin J. Hamilton

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ACLU Foundation

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CERTIFICATE OF SERVICE

I certify that on October 3, 2014, I electronically filed the foregoing
[Proposed] Final Judgment using the CM/ECF system, which will send
notification of such filing to the following attorney(s) of record:

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☒ VIA CM/ECF
SYSTEM
☐ VIA FACSIMILE
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I certify under penalty of perjury that the foregoing is true and correct.

DATED: October 3, 2014

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